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OFFICIAL**CERTIFICATE OF FACSIMILE TRANSMISSION**

This is to certify that this document entitled RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121) AND SUMMARY OF TELEPHONIC INTERVIEW is being faxed to the Commissioner for Patents / Examiner David E. Aylward at fax no. 703-872-9306 this 18 day of May, 2004.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No.	:	09/720,623	Confirmation No. 3428
Applicants	:	MORI et al.	
Filed	:	December 27, 2000	
TC/A.U.	:	1712	
Examiner	:	AYLWARD, David E.	
Docket No.	:	MAEJ-136	
Customer No.	:	23290	

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
(37 CFR 1.121) AND SUMMARY OF TELEPHONIC INTERVIEW**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated April 19, 2004.

A Preliminary Amendment was filed with the application via Express Mail dated December 27, 2000. The Preliminary Amendment was in the proper amendment format at the time of filing and thus was not required to meet the requirements of 37 CFR 1.121 as amended over 2 years later on June 30, 2003.

The undersigned attorney contacted Legal Instruments Examiner Glenn R. Burns, Jr. on April 21, 2004 via telephone regarding this matter.

Appl. No. 09/720,623

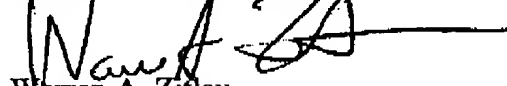
**Response to Notice of Non-Compliant Amendment (37 CFR 1.121)**

Attorney Docket No. MAEJ-136

Mr. Burns indicated that the Preliminary Amendment was in the proper format as filed on December 27, 2000 and that the Notice of Non-Compliant Amendment was sent in error. Mr. Burns stated that a paper regarding compliance of the Preliminary Amendment would be mailed on April 22, 2004. However, to date no paper has been received from the U.S. Patent and Trademark Office.

It is respectfully submitted that the Preliminary Amendment is in compliance with rules at the time of filing the Preliminary Amendment. Thus, it is requested that the Preliminary Amendment be entered and that an action on the merits be promptly issued in the application.

Respectfully submitted,



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Date: May 18, 2004